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7 Counsel for Defendant

8 CHRISTOPHER RANIERI

9 Appearing *Pro Hac Vice*

10 IN THE UNITED STATES DISTRICT COURT  
11 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
12 SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA,

14 Plaintiff,

15 v.

16 CHRISTOPHER RANIERI *et al.*,

17 Defendants.

Case No. 3:17-cr-00533-7 EMC

18 **STIPULATION AND ~~PROPOSED~~**  
**ORDER RE: RESETTING THE BRIEFING**  
**AND HEARING SCHEDULE OF DEFENDANT,**  
**CHRISTOPHER RANIERI'S MOTION FOR**  
**A BILL OF PARTICULARS**

19  
20 Whereas, on October 10, 2017 the defendant, Christopher Ranieri and ten other individuals  
21 were indicted on racketeering conspiracy charges, inter alia, and he and three of those individuals -  
22 Jonathan Joseph Nelson, Brian Wayne Wendt and Russell Taylor Ott - were also indicted on conspiracy  
23 to commit murder in aid of racketeering charges.

24 Whereas, Mr. Ranieri later notified the Court and the United States of his intent to file and  
25 serve a Motion for a Bill of Particulars as to the conspiracy to commit murder in aid of racketeering  
26 charge against him (Count Two of the Indictment), and, whereas, Mr. Nelson, Mr. Wendt and Mr. Ott  
27 indicated their intent to join in his motion or to file their own similar motion/s;

1           Whereas, the Court subsequently ordered the parties to adhere to a briefing schedule and set  
2 November 6, 2018, as the hearing date for that motion and/or motions;

3           Whereas, a Superseding Indictment was returned on or about September 11, 2018;

4           Whereas, Count One of the Superseding Indictment again charges Mr. Ranieri, and ten other  
5 individuals, with racketeering conspiracy; Count Two thereof again charges him, Mr. Ott, Mr. Wendt  
6 and Mr. Nelson with conspiracy to commit murder in aid of racketeering; Count Three thereof charges  
7 Mr. Ott, Mr. Wendt and Mr. Nelson with murder in aid of racketeering with accompanying notices of  
8 special findings rendering them potentially eligible for the death penalty; Mr. Ranieri, along with four  
9 co-defendants<sup>1</sup>, were notified therein of Special Sentencing Factors as to Count One-Number 1:  
10 Conspiracy to Commit Murder; and, whereas, Mr. Wendt, Mr. Ott and Mr. Nelson were also notified  
11 therein of such factors as to Count One-Number Two: First Degree Murder of Victim 1.  
12

13           Whereas, Mr. Nelson, Mr. Wendt and Mr. Ott have yet to be appointed Learned Counsel in  
14 relation to their being charged in Count Three of the Superseding Indictment;

15           Whereas, Mr. Nelson's counsel may be disqualified from representing him in this case due to a  
16 purported conflict;

17           Whereas, Mr. Ranieri's attorney has discussed with Assistant United States Attorney Meredith  
18 B. Osborn and counsel for Mr. Wendt, Mr. Ott and Mr. Nelson, the wide-ranging ramifications of the  
19 Superseding Indictment and the change of circumstances associated therewith, including, but not  
20 limited to, the appointment of Learned Counsel for Mr. Wendt, Mr. Ott and Mr. Nelson and such  
21 counsels' abilities to meaningfully participate in the filing and hearing of a motion/s for a bill of  
22 particulars addressing their client's unique perspectives; the possibility that Mr. Nelson may need to  
23 retain or be appointed successor counsel in addition to Learned Counsel; and, whereas, there is a desire  
24 to avoid seriatim motions for bills of particulars to the greatest extent possible.  
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28 <sup>1</sup> Mr. Nelson, Mr. Wendt, Mr. Ott and Raymond Michael Foakes. (*Superseding Indictment*, at ¶23).

1            THEREFORE, IT IS HEREBY STIPULATED that:

2            1. The Court at the Status Conference scheduled for October 23, 2018 will reset the briefing  
3 schedule and hearing date for Mr. Ranieri's, Mr. Ott's, Mr. Wendt's and Mr. Nelson's motion/s for a  
4 bill or bills of particulars as to the Superseding Indictment.  
5

6  
7 Dated: September 25, 2018

LAW OFFICE OF JOHN G. WALSH

8 By: /s/ John G. Walsh  
9 John G. Walsh

10 Attorney for Defendant  
11 CHRISTOPHER RANIERI

12  
13 Dated: September 25, 2018

ALEX TSE  
United States Attorney

14  
15 By: /s/ Meredith B. Osborn  
16 Meredith B. Osborn  
17 Assistant United States Attorney

18 PURSUANT TO STIPULATION, IT IS SO ORDERED.

19 Dated: September 26, 2018

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23 HON. EDWARD M. CHEN  
24 United States District Judge  
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